

11/21/23 BCC AGENDA SHEET

PARKING REDUCTION & FINISHED GRADE  
(TITLE 30)

CAPOVILLA AVE/WINDY ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-23-0683-LMG NEVADA LAND EXPANSION, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS** to reduce parking.

**DESIGN REVIEWS** for the following: **1)** an office/warehouse building; and **2)** increase finished grade in conjunction with a previously approved office/warehouse on 2.4 acres in an M-D (Designed Manufacturing) (AE-65) Zone.

Generally located on the northwest corner of Capovilla Avenue and Windy Street within Enterprise. MN/jud/syp (For possible action)

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RELATED INFORMATION:

**APN:**

177-05-801-010

**WAIVER OF DEVELOPMENT STANDARDS:**

Reduce the number of required parking spaces to 51 spaces where 80 spaces are required per Table 30.60-1 (a 37% reduction).

**DESIGN REVIEWS:**

1. Office/warehouse building (building height increase for a previously approved building).
2. Increase finished grade to 4.5 feet where a maximum of 36 inches is the standard per Section 30.32.040 (a 50% increase).

**LAND USE PLAN:**

ENTERPRISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 2.4
- Project Type: Office/warehouse
- Number of Stories: 2
- Building Height (feet): 43
- Square Feet: 52,951
- Parking Required/Provided: 80/51

### Site Plan, History, & Request

The site was previously approved for a 1 story office/warehouse through NZC-18-0865 in January 2019. The applicant is now requesting to revise the plans for the office/warehouse building to include an upper floor mezzanine. As a result of the proposed additional space, more parking is required due to the increase in building height. This application also includes a design review of the site as well as a design review for increased finished grade because of subsequent grading and drainage studies.

The original application in comparison to the present application included the following:

	NZC-18-0865	WS-23-0683
Number of stories	1	2
Building Height	38	43
Square Feet	32,899	52,951
Parking Required/Provided	50/51	80/51

The current plans depict an office/warehouse consisting of 1 building. The plans indicate access is provided by commercial driveways along Capovilla Avenue and along Windy Street. Parking is provided along the north and west portions of the building with a 7 bay loading dock located along the northwest corner of the building, with all loading spaces/docks facing into the development or toward the adjacent properties, which will be screened with landscaping. Due to the 3 foot wide drainage easement on the north property line, the north driveway width has been reduced to 31 feet 9 inches rather than the 36 feet wide north driveway previously shown.

The provided grading profiles show that a maximum fill of 4.5 feet is needed under the proposed office/warehouse building particularly along the eastern side of the building.

### Landscaping

The landscape plan shows an 8 foot wide landscape strip along the north property line, which includes a 3 foot wide drainage easement. Furthermore, a 21 foot 7 inch wide landscape strip along the east side of the property shows an ADA ramp, 5 feet in width, along a portion of the landscape strip. The perimeter landscaping along the west and south property lines remain the same as originally approved.

### Elevations

The elevations show that the building is 2 stories with a maximum height of 43 feet. The building will be constructed of concrete tilt-up panels with flat roofs behind a parapet wall and painted earth tone colors. The office portion of the building will have aluminum framed storefronts with tempered glass doors and windows.

### Floor Plans

The plans show that the building will have a total of 52,951 square feet. The first floor includes 3,111 square feet of office area with support and restroom facilities and 29,411 square feet of warehouse. The mezzanine level includes 2,675 square feet of office area and 17,754 square feet of warehouse.

Signage

Signage is not a part of this request.

Applicant’s Justification

The applicant states the increase in finished grade is required due to an approved technical drainage study. In addition, the applicant also indicates the provided parking on-site should be sufficient for the building, as a completed parking study shows that the building should only require between 12 to 19 parking spaces, the 51 parking spaces provided will be sufficient.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ET-23-400014 (NZA-18-0865)	First extension of time for a reclassification of the site from R-E to M-D zoning for an office/warehouse facility	Approved by BCC	March 2023
NZA-18-0865	Reclassified the site from R-E to M-D zoning for an office/warehouse facility	Approved by BCC	January 2019

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Entertainment Mixed-Use	R-E	Storage facility
South	Entertainment Mixed-Use	R-E	Undeveloped
East	Entertainment Mixed-Use	H-1	Undeveloped
West	Entertainment Mixed-Use	M-D	Office/warehouse complex

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

**Analysis**

**Comprehensive Planning**

Waiver of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Staff finds that based on the provided parking study that the number of parking spaces should be sufficient for the size and use of the building on the site. The parking study used a much larger building for reference and found that 12 to 19 parking spaces should be sufficient for the traffic for an office/warehouse of this size. Based on this information, 51 on-site parking spaces should be sufficient for the proposed use of the site as an office/warehouse. Additionally, while staff does not normally support parking reductions, staff can support this proposed reduction as the parking study provided indicates that parking for this type of use usually exceeds what is needed.

Furthermore, the provided parking study for the site indicates that the parking provided exceeds what is required at the subject site. For these reasons, staff can support this request.

#### Design Review #1

Staff finds the proposed architectural style of the buildings, and the overall site design, are consistent and compatible with existing developments in this area and finds the project is appropriate for the area. The project design provides for a development complies with Title 30 and the Master Plan. Therefore, staff can support this request.

#### **Public Works - Development Review**

##### Design Review #2

This design review represents the maximum grade difference within the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

#### **Staff Recommendation**

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

#### **PRELIMINARY STAFF CONDITIONS:**

##### **Comprehensive Planning**

- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

##### **Public Works - Development Review**

- Comply with approved drainage study PW23-13973;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

**Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0106-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Enterprise - approval of design review #2; denial of design review #1 and waiver of development standards.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** WOOD RODGERS

**CONTACT:** WOOD RODGERS, 8345 W. SUNSET ROAD, SUITE 150, LAS VEGAS, NV 89113